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HEARING

BEFORE THE

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

ONE HUNDREDTH CONGRESS

SECOND SESSION

THE CURRENT SITUATION IN POLAND

SEPTEMBER 23, 1988

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CONTENTS

SEPTEMBER 23, 1988

WITNESSES

	Page
Prof. Jan Nowak of the Polish American Congress	6
Prof. Janusz Onyszkiewicz, official spokesman for the Polish Independent Trade Union, Solidarity	7
Father Eugene Koch, is head of the campus ministry at Seton Hall University in South Orange, NJ	23

APPENDIX

Prepared statement furnished by Senator Alfonse D'Amato	29

90122 ††

PUBLIC HEARING ON THE CURRENT SITUATION IN POLAND

FRIDAY, SEPTEMBER 23, 1988

U.S. HOUSE OF REPRESENTATIVES,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
Washington, DC.

The Commission met, pursuant to notice, in room 562 Dirksen Senate Office Building, at 10 a.m., Representative Steny H. Hoyer, Chairman, presiding.

Attending: Commissioners, Representatives, Christopher Smith, Don Ritter, Edward Feighan and Senator Frank Lautenberg.

Also in attendance: Mary Sue Hafner, deputy staff director and general counsel; Jane Fisher, senior staff consultant; and Erika Schlager, hearing coordinator.

OPENING STATEMENT OF CHAIRMAN STENY HOYER

Chairman HOYER. I call this hearing to order, of the Commission on Security and Cooperation in Europe.

I apologize that we're starting 20 minutes late. It's my practice to want to start on time, but I got held up this morning. And I apologize to Senator Lautenberg, Congressman Ritter, and Congressman Smith, who were all here before me whom I kept waiting as well as our distinguished witnesses. I'm sorry.

As Chairman of the Helsinki Commission, I had the opportunity to lead a congressional delegation to Poland this past April. Shortly thereafter, strikes erupted throughout Poland in the largest wave of worker unrest since 1981.

This striking example of the volcanic potential of Poland's economic and political crisis led several members of the Commission to call for a hearing.

This month, following another round of crippling strikes, the Polish leadership and opposition agreed to hold round table discussions on the long-standing problems facing their country.

Interestingly, these strikes came to an end just as an independent international human rights conference was taking place—free from official interference—in Krakow.

A focal point of the discussions at the conference was just the sort of political dialogue that these round table talks represent.

This step forward presents Poland with a new and viable opportunity to achieve the much-touted "national reconciliation" for which both sides have been striving over the last 7 years.

It is welcomed not only in Poland, but by all the Helsinki signatory states—states which have recognized that stability and peace cannot be maintained in Europe as a whole if they are at risk in any of the European countries.

Poland's crisis runs deep, and hard political choices must be made in the coming months. If the leadership and the opposition prove successful in surmounting this crisis, then realizing genuine democratization could, and hopefully, would be the result.

In today's hearing, we will examine what obstacles bar the path to normalization in Poland, what conditions must be established to ensure the success of necessary reforms, and what options face the Government and the opposition as they enter this historic phase of Poland's development.

We are very fortunate to have with us today, someone who is an expert on these issues. Testifying before the Commission is Professor Onyszkiewicz, the officially designated spokesperson for the trade union, Solidarity.

I might say, parenthetically, that I had the opportunity of meeting with Lech Walesa when I was in Poland, in Gdansk, and had the opportunity of meeting with a number of other very distinguished Solidarity leaders when I was in Poland.

Mr. Onyszkiewicz will be introduced by Jan Nowak, a director of the Polish American Congress. Mr. Nowak's experience in this field dates back to World War II.

He served as a secret courier for the Polish resistance, and the allied leadership in London. These experiences form the basis of his best selling book, *Courier From Warsaw.*

Mr. Nowak subsequently headed the Polish division of Radio Free Europe in Munich for 25 years. He is currently a consultant on Polish and East European affairs for the National Security Counsel.

We are also very, very pleased that at the invitation of Senator Lautenberg, Father Eugene Koch, who is head of the campus ministry of Seton Hall University in New Jersey is here today. Of Polish origin himself, Father Koch has been a visitor to Poland on countless occasions.

Let me now recognize Senator Lautenberg for whatever statements he might want to make.

STATEMENT OF FRANK LAUTENBERG, SENATOR FROM NEW JERSEY

Senator LAUTENBERG. I thank you very much, Mr. Chairman. I want to welcome our distinguished guests to the Helsinki Commission hearing.

At this critical time in Poland I welcome the opportunity to hear from Solidarity's official spokesman, Professor Onyszkiewicz, about the negotiations between Solidarity and the Polish Government.

I'm also certain that Father Eugene Koch, with Seton Hall University, New Jersey, recently returned from Poland, will have interesting insights about the relations between the Catholic Church, Solidarity, and the Polish Government.

Many of us on the Helsinki Commission have long taken an active interest in Poland. In the summer of 1987, I went to Poland with the Commission to press for human rights.

With every opportunity, we encourage the Government to enter into a dialogue with Solidarity, to take genuine steps toward meaningful reconciliation.

On that trip I reminded the Government that it must live up to the promises it made to its citizens when it signed the Helsinki Accords, which guaranteed fundamental rights, like freedom of association, and freedom of speech.

I reminded every government official that I met that taking the bold step of re-legalizing Solidarity would go a long way toward improving relations between Poland and the United States.

Solidarity is now at a crossroads in Poland. After 7 long years, the Government has at long last agreed to enter into a dialogue with Lech Walesa and Solidarity to discuss trade union pluralism, among other issues.

For the first time in recent memory it appears that the Government has finally recognized that it can no longer continue turning its back on the movement that represents the democratic hopes and aspirations of millions of Polish workers.

That the Government has agreed to begin broad negotiations with Solidarity, demonstrates that the trade union has made tremendous progress.

Progress in Poland has come slowly. It's come at a high cost to the Polish people. Striking to pressure the Polish Government to once again legalize Solidarity, thousands of Polish workers have lost their jobs.

Fighting for human rights and a future for the independent trade union Solidarity, thousands have been imprisoned over the years, detained, and harassed by the police.

But the Polish people are a brave and determined people. They believe strongly that Solidarity and pluralism must play a role in Poland's future. Despite the barriers to reconciliation that the Government erected over the years, the courage and determination of Solidarity activists never wavered.

Many in the Catholic Church have been good friends to Solidarity throughout its struggle in Poland. In churches in many parts of Poland, Solidarity activists have found a safe haven and a place to conduct meetings. Most recently, the church demonstrated its support for Solidarity by acting as a mediator between the Government and Solidarity.

Unfortunately, assisting Solidarity has not always been easy for Polish clergymen. Some, like Father Jerzy Popieluszko have paid the ultimate price for opening the doors of the church to Solidarity and human rights activities. For helping Solidarity in its struggle for freedom in Poland, this activist priest was slain by the Polish police.

But there is new hope in Poland. Resolution of Solidarity's legal status in the country may be just around the corner.

At this critical time, I do look forward to hearing Professor Onyszkiewicz, and Father Koch when they tell about the current situation in Poland and their thoughts about prospects for the future.

Thank you, Mr. Chairman.

Chairman HOYER. Thank you, Senator Lautenberg.

I recognize the ranking member of the House contingent of the Commission, Congressman Ritter from Pennsylvania.

STATEMENT OF DON RITTER, REPRESENTATIVE FROM PENNSYLVANIA

Congressman RITTER. Thank you, Mr. Chairman. And I'd like to associate myself with your remarks, and the remarks of our colleague, the Senator from New Jersey.

I, too, was on the April trip of the Helsinki Commission to Poland. And I had heard from a number of sources to try and meet with Professor Onyszkiewicz, but he was out of the country at the time.

We were told that he was the most articulate spokesman, internationally, for the Solidarity movement, and the movement towards freedom in Poland. So it's a real pleasure that we are hosting you here, today, Professor Onyszkiewicz.

I also welcome Mr. Nowak, who has been there, literally, who has the experience with this issue as much as any Polish American. And I also welcome Father Koch from Trenton.

This is an historic phase in the history of the Polish nation. It is also extremely historic for the history of Europe, because Poland is the leader of all of the nations in Eastern Europe, as they seek to develop a new modus vivendi in the age of *glasnost* and *perestroika.*

When many of us were in Poland in April and we spoke out for the legalization of Solidarity and the incorporation, at least the allowance of the Solidarity voice to come out from the underground and into the open, many of the leaders of the Government whom he spoke with said that that would amount to chaos for Poland.

Ironically, with the continued suppression of the Solidarity movement, and the inability of Solidarity to enter the kind of mainstream in the movement for change in Poland, chaos is resulting.

The lack of a firm Solidarity role, because Solidarity does represent people, the lack of that role is causing chaos in Poland.

One last word about the Polish people. At the crossroads of history over the centuries, I believe that Polish people, more than perhaps any other people on earth, truly value and appreciate the essence of freedom, and will never rest without it.

Thank you, Mr. Chairman.

Chairman HOYER. Thank you, very much, Mr Ritter. Now, Congressman Smith, also from the State of New Jersey, a member of the Commission.

STATEMENT OF CHRISTOPHER H. SMITH, REPRESENTATIVE FROM NEW JERSEY

Congressman SMITH. Thank you, Mr. Chairman. I, too, want to welcome our panelists, Professor Onyszkiewicz, Mr. Nowak, and Father Koch to this hearing today.

We look forward to what we know will be expert testimony, providing the insights that we need to flush out the record as to what is happening, and what we hope will happen in Poland as these very historic moments unfold.

Perhaps everyone in this room has read the Reuters dispatch that was in this morning's paper, with what seems to be very good news. That the Communist authorities are planning on making meaningful, hopefully meaningful, changes in the laws that govern unions.

The Reuters dispatch points out that one official, in a plea to hard liners who oppose Solidarity returning to legal status, set a compromise on the future of the trade union to be worked out at next month's talks.

Of course, that may or may not happen, but I think our hope is that the weight of world opinion and the expectation levels will rise over the next couple of months. We are hopeful that some real reforms will result from what Solidarity and the Polish authorities work out.

There is clear bipartisan support for the Polish people. It never changes, never wavers. We, in all of our talks with East bloc countries and the Soviet Union, in a bipartisan way express our firm solidarity with the Helsinki Accords, and with the human rights basket in particular.

We believe that when it comes to the treatment of its own people and its word, that a country is measured by how it treats its own people. By this, I am referring to arms control, and other kinds of treaties, whether they be trade or otherwise.

If a country will not live up to its obligations and its solemn promises to its own people, it casts a very bad light on any other kind of agreement that is entered into.

Respect for human rights is the litmus test. Hopefully, the message that goes out every day from Congress, by our President and by the American people, is that we want human rights protected, preserved, and enhanced behind the Iron Curtain and everywhere else in the world.

I think this hearing will help to further that process. Again, I look forward to the statements by our witnesses, and welcome to our Commission.

Chairman HOYER. Thank you very much Congressman Smith.

That concludes the opening statements of those members who are here. If there are any additional members who come in during the course of the hearing, we will, of course, have their statements entered into the record.

I would like to add, in terms of Professor Onyszkiewicz's presence here, that it is historic from this sense, the Professor has been detained on a number of occasions as a result of his leadership for Solidarity and as a result of his speaking out courageously on behalf of the rights of the citizens of Poland.

He is the first Helsinki Commission witness who is testifying as a member of his country's political opposition, and who is planning to return to his country. That says a lot about the Professor, about his courage, and hopefully, also says something about his country.

And in that context we're very pleased at this hearing.

Now, Congressman Feighan has just gotten in under the wire. I don't know whether he wants to make an opening statement.

Congressman FEIGHAN. I believe that I will not make a statement, except to say how important I think that this hearing is and to thank you, Mr. Chairman, for calling this hearing.

I'm particularly eager to hear our witness, Professor Onyszkiewicz, today. He is a man of great courage, and someone who represents a very important movement, not only in Poland but throughout the world—and we want to be as helpful as we possibly can.

Thank you, Mr. Chairman.

Chairman HOYER. I thank the Congressman for his comments. I think I would be remiss if I did not point out that this hearing really comes about as a result of a request by Senator Lautenberg, who, as he has said, did visit Poland prior to the time that Congressman Ritter and I were there with the Commission.

But we all share a deep concern about what is happening in Poland and the future of Poland.

At this time let me turn to Professor Nowak, who is going to give us an overview, briefly, and who will formally introduce Professor Onyszkiewicz.

TESTIMONY OF PROF. JAN NOWAK OF THE POLISH AMERICAN CONGRESS

Mr. NOWAK. Mr. Chairman, honorable Commission members, on behalf of the Polish American Congress, I have the honor of introducing to your Commission an outstanding representative and national spokesman of the Polish Independent Free Trade Union Solidarity.

As you know, the Polish American ethnic community numbering more than 10 million Americans of Polish heritage, strongly supports Solidarity as a powerful force for nonviolent change in Poland and in the entire Soviet orbit.

Recent developments provide telling evidence that Solidarity survived martial law, destruction of its legal structure, imprisonment of its leadership and repressive measures of the political police which included, in some cases, killings and kidnappings.

In spite of constant provocations and persecutions, Solidarity never responded to violence by violence. Not one single act of terror has been committed by Solidarity members in 8 years of its existence.

It can be said, therefore, that Solidarity has become the largest, non-violent, civil rights movement since Mahatma Gandhi and Dr. Martin Luther King. I don't believe there is any exaggeration in this statement.

Solidarity has become a leading champion in defense of human rights and our common values.

The Polish American Congress greatly appreciates your interest and your invitation extended to Dr. Janusz Onyszkiewicz, and for offering him an opportunity to testify before your Commission.

Dr. Onyszkiewicz has been active in the opposition movement since March 1968 when, as a young scholar of the Warsaw University, he defended with remarkable courage, students which were persecuted for participation in anti-government demonstrations.

Later, in 1973, these students found him to be a courageous supporter and advisor. Even before the birth of Solidarity, Onyszkiewicz became subject of constant harassment by political police,

was detained many times and denied a passport on 30 occasions before he was permitted to go abroad.

Dr. Onyszkiewicz, is a mathematician of international reputation who, between 1976-79, has lectured at many universities among others, Oxford, Leeds, London, Manchester, Paris and Aarhus.

On his return to Poland he sacrificed his promising creative, scholarly career and devoted all his energy to the new movement; first as an organizer of assistance to striking workers, later as a national press spokesman of Solidarity.

Imprisoned in December 1981, after the imposition of martial law in Poland, he was released in December 1982, only to be arrested again in April 1983 for organizing a mass meeting on the anniversary of the Warsaw Ghetto Uprising in front of the monument of Fallen Jewish Heroes.

Let me add that, happily, this year similar celebrations went undisturbed.

I cannot think of anybody with better credentials to address this distinguished Commission on the issue of human rights in Poland.

Let me add, that on the lighter side of his life, he's a mountain climber of international reputation, responsible for conquering, with others, some very difficult and important Himalayan peaks. This was probably a good school of his courage, and tenacity.

Chairman HOYER. I think he probably found the mountains easier.

[Laughter.]

Chairman HOYER [continuing]. Professor Onyszkiewicz, we are very pleased and honored to have you with us. And I'm pleased to recognize you at this time, for such testimony as you would like to give us.

TESTIMONY OF PROF. JANUSZ ONYSZKIEWICZ, OFFICIAL SPOKESMAN FOR THE POLISH INDEPENDENT TRADE UNION, SOLIDARITY

Professor ONYSZKIEWICZ. Mr. Chairman, honorable members of the Commission, I came to the United States with the hope that I would be able to present to the American public, to American politicians, what we think about the situation in Poland, what we think about the human rights situation in our country. I'm extremely glad and honored that I was given the chance to say a few words to you and to testify at this meeting.

As far as human rights are concerned in Poland, one can certainly say that, during the last several years, there has been a considerable improvement, as far as individual freedoms are concerned.

We won—and I must stress this—we won considerable freedom in what we can say, what we can write, and even in moving about. Passports are no problem, for the most part.

This is not the result of generosity of the authorities. It is, I think, first of all, to a great degree, the result of our commitment, our struggle, and our exercising of pressure over time.

But having said so, and having admitted that individual human rights are now in much better shape than say, 5, 10 years ago, I must say that there has been no progress in other aspects of human rights, rights to do something in common. I mean, for ex-

ample, the right to associate, the right to have demonstrations, and first of all, trade union rights.

In Poland, in our legal system we have provisions for many trade unions operating in the country. We even have guarantees resulting from acceptance of the conventions of international labor organizations.

However, the decree of the Council of State, which acts as sort of a collective president, prevents organizing new trade unions, and even prevents accepting the name of Solidarity. So, not only are other trade unions forbidden, but trade unions cannot take the name of Solidarity.

We had a case where there were no trade unions in a place of work, and the only trade unions which wanted to get organized also wanted to take the name of Solidarity. It was refused the right to be legalized.

This is the major issue in Poland now: to have Solidarity re-legalized. I do hope that the recent breakthrough is a lasting one and will result in the re-legalization of Solidarity.

But we must not see re-legalization of Solidarity as the end of a certain process. Obviously we must see that it will be the beginning of certain very important processes, a process which must result in institutionalizing pluralism, which de facto, exists in Poland. We must fight against restrictions on the right to associate.

At present the situation is this. Only associations which are in "the public interest," as it is put, can seek legalization and registration.

Unfortunately, what is in the public interest is defined by the Government and by the Communist Party. So they have the instrument to reject or accept registration of associations at their will. There is no legal defense. This is something which must be changed.

There is also another important issue. This is another important right which is denied to us: the right to have demonstrations.

We could never obtain permission to organize a demonstration. To give you one example; this year we wanted to have an independent demonstration on the 1st of May. The 1st of May is our Polish Labor Day.

We felt that we had the right to have an independent demonstration. We filed an application with the Polish administration authorities, stipulating that we were prepared to discuss and agree on all details concerning this demonstration.

We were prepared to make any compromise, provided this permission would be granted. We were refused flatly and we were simply told that no independent demonstration can be accepted on any conditions.

So this is again, something very important, and a right which we are still denied even though we tried to exercise this right, as for example, by organizing, this year, a very big demonstration to commemorate the 45th anniversary of the Ghetto Uprising, a demonstration in which about 20,000 people took part.

Talking about human rights, I would like also to stress a very peculiar role which the police play in our system. According to the present legal system, it is up to the police to decide if a certain deed will be classified as a minor or serious offense.

The difference is very important, because if the police decide that it is a minor offense, then the case goes to misdemeanor court. And misdemeanor court has very limited possibilities for charging and sentencing people.

For example, if one's case goes to misdemeanor court and he's accused of instigating some public unrest, or taking part in some demonstration, the maximum penalty he can get is 3 months in prison. But if the same thing happens and it is up to the police to decide, and it goes to court, the maximum penalty is much higher. It could be several years in prison.

That gives the police a tremendous tool for blackmailing people, because, as I said, depending where your case goes, you can be treated one way or another.

This is not the only case in which you can see that the police really play the role of a judiciary system. I don't want to dwell on this point. I simply want to make this point, to draw your attention to this fact.

Chairman HOYER. Professor, let me interrupt you one second. In about 2 minutes, the four of us who are in the House of Representatives will be leaving to go vote.

Perhaps at that point in time it might be useful if you could stop with any new observations, and perhaps Senator Lautenberg would want to pursue some questions he has with respect to the observations you've made.

Then we will come right back. Because all of us are very interested. But they just called the vote.

As a matter of fact, my suggestion would be gentlemen, that we go right now. I've got a car out here. We'll drive right over. And Senator Lautenberg, if you would chair the hearing, or do you want to recess for 5 minutes?

[Pause.]

OK, Professor, if it's all right with you, we'll recess for 5 minutes. We'll go right over, vote and come right back.

Senator LAUTENBERG. Professor, it will be 10 minutes, but we want to be honest——

Professor ONYSZKIEWICZ. OK.

[Laughter.]

Chairman HOYER. All right.

[Off the record 10:50 a.m.]

[On the record at 10:55 a.m.]

Chairman HOYER. You can proceed on your next point.

Professor ONYSZKIEWICZ. Thank you, Mr. Chairman.

I would like to raise another issue, which is connected with the previous one. That is our judicial system, and how it works.

As you may know, the courts in Poland are divided roughly into two categories. One category, misdemeanor courts, deals with smaller offenses, with petty offenses. The other category is normal courts.

Why is this distinction important to us? This distinction is important because at a certain stage, most of the political, articles of our Penal Code were extended to such a degree, that they can also be handled by misdemeanor courts.

That can be seen as kind of relaxation because misdemeanor courts can give smaller sentences. The risk seems somehow smaller

there. But in fact, it is not because the legal protection in misdemeanor courts is extremely poor.

Just to give you an example. In these misdemeanor courts people have been charged and sentenced on the basis of the testimony of one police functionary who, for example, could say, I know that this person was involved, but I cannot reveal my sources. And this word was taken as conclusive proof of somebody's guilt.

Other cases are even more striking, and more alarming. We had cases in our records, where somebody was found guilty on the basis of a policeman stating that he saw the accused person in the vicinity of the place where leaflets were distributed and that the accused person looked nervous. That was enough to find this person guilty.

As you see, the legal protection in misdemeanor courts is almost non-existent. It doesn't mean that in normal courts the legal protection is better, but at least this protection, the way the cases are being handled is seen by everybody.

I can quote from my own experience.

When I was in court about 4 months ago, I was charged with spreading false information in order to instigate public unrest. The judge simply refused to accept proof from pictures, from videotapes, from my witnesses. He accepted only one witness who completely confirmed my line of defense—and this was dismissed.

The judge simply said that the testimony of the police officer was that he phoned some other places. He was not a witness himself. He simply said that he phoned some other places and was informed by other police officials that it was not true, amd this was conclusive. And I was found guilty.

So this is a very sad aspect of our judicial system. There is very poor protection.

The other aspect is that courts are used, very often, to pin some criminal charges on politically motivated people. A very striking case is the case of Captain Hodysz.

He was a member of the security police. He simply was, to a certain degree, in contact with Solidarity so he was charged with accepting bribes, which was not true. He is serving 6 years in prison.

When he was sentenced, the Supreme Court, on its own initiative, raised the sentence from 4 to 6 years. And that's—sorry, are you——

[Buzzer sounding.]

Chairman HOYER. No, that's the Senate bell.

Professor ONYSZKIEWICZ. Sorry.

Chairman HOYER. The Senate is having a quorum call, and Senator Lautenberg will respond to that quorum call, and then he's going to return here.

Professor ONYSZKIEWICZ. Oh, I see.

Chairman HOYER. Proceed.

Professor ONYSZKIEWICZ. So this was a very shocking case.

What's more, although the murderers of Father Popieluszko got some reduction in their sentences because of the amnesty, Captain Hodysz didn't. He's still serving in prison.

So this is basically the main framework in which the human rights situation can be and should be looked at.

Let me conclude what I have to say with more general remarks. Poland is a Western country. A Western country not in a political sense, but in a cultural sense. We do share the same commitment to the same values.

Because of that, and because of the universal character of this Western culture, everybody in Poland, including people from the Government and from the party, must at least claim that they are committed to these values.

That's why pressure from public opinion in Western countries can be effective, and is effective. That's why I think that meetings and hearings like this, why action taken by all kinds of bodies in the West, is so important. It not only gives us evidence that we are not forgotten, but it is also effective pressure which works.

Thank you, Mr. Chairman.

Chairman HOYER. Thank you very much, Professor.

Now I understand Mr. Nowak would also like to make some concluding comments.

Mr. NOWAK. Well, I would like to add to what Dr. Onyszkiewicz said, that this Commission has absolutely strategic importance, which might not be fully realized in this country.

The defense of human rights raised in the Final Act of the Helsinki Accords, was like raising a banner of an idea of tremendous attractive and magnetic force in the Soviet bloc.

It did, indeed, generated many dissident movements. Police persecution, repressions are very easy under cloak of secrecy. And any publicity given to them, both inside the country, and in the West, serve as an effective protection.

Unfortunately you don't get, in this country, the kind of publicity that you deserve. But this Commission does get tremendous publicity, for instance, in Poland.

Representatives of the Voice of America and Radio Free Europe are here. And in a matter of a few hours, many millions of Poles will listen to what was said here. And this kind of publicity has immense importance as an effective protection of such movements as Solidarity and such people as Onyszkiewicz.

We, the Polish American Congress, would like to raise one case of human rights violation, which is of tremendous importance to us. It is the fate of Poles in the Soviet Union.

There are probably about 2 million Poles in the Soviet Union. According to the Soviet census, the number of Poles declined by almost 17 percent in the last two decades.

At the same time, the population of the Soviet Union increased by almost 25 percent. And the population of Poland in the whole post-war era, by more than 60 percent.

There are only two ethnic groups in the Soviet Union which show a decline; Polish and Jewish. The decline of the Jewish minority can be explained by the exodus to the West.

An exodus of Poles was blocked after 1959. In the case of Poles, a decline is therefore a result of forcible assimilation and russification processes.

The Poles are under strong pressure not to register the Polish nationality of their children at their birth. The names are changed.

I know the case of Olga Korbut, a very prominent Olympic star who was born in the old Polish family in the district of Grodno which belonged to Poland before 1939.

She was asked by a Western correspondent; well, you have a Polish name, why do you say your nationality is White Russian? And she said,

If my parents would insist after my birth, to give me the Polish name of Anna instead of Olga, if they insisted on giving me Polish nationality, I wouldn't be here. I would have no chance of any career in sports or in any other area.

And in fact, while in the United States there are plenty of sportsmen with Polish names, there are none in the Soviet Union. The same is true in the scholarly life, at universities. You don't have Polish names, for one simple reason. Poles are under terrific pressure not to admit their nationality.

It's entirely different with the Jews. Jews are not allowed to change their race, religion, and ethnic background. The Poles are under pressure to renounce it.

There are Polish schools only in Lithuania. There are no Polish schools in White Russia. Only one high school in the Western Ukraine.

I strongly believe that discrimination of the Polish ethnic group in the Soviet Union is not noticed here. It deserves special hearings and deliberations.

Thank you once again. We greatly appreciate this hearing and the initiative of Senator Lautenberg.

Chairman HOYER. Thank you, very much Mr. Nowak and Professor Onyszkiewicz.

Mr. Nowak, we certainly appreciate your remarks about the Commission and its work.

One of the gratifications of service on this Commission, is the feeling that, although it may not, as you say, get a lot of coverage in the United States, I never fail to go to any of the Warsaw Pact nations and talk to people there who are in the opposition, or who are dissidents, or rufuseniks, or in any way different from what the regime want them to be, who do not say to me that the work of the Commission is critically important to them, and to the people with whom they're working.

I think that, for every member of the Commission, that is a very, very important motivation. And I frankly think that it is a great motivation to all the Members of the Congress of the United States, who are very much involved in this effort along with the Commission. So thank you for your remarks.

Professor, let me ask you a couple of questions. First of all, we've had some, I suppose, relatively dramatic changes in the Government occurring in Poland over the last few days.

In fact, unlike 1956, 1970 and 1980 when the party leaders were forced down, this is the first time a government has been forced out.

I'd very much like to hear your comments and observations on that event and what you think it portends.

I think Congressman Smith and Congressman Ritter leaned over to one another when you said you thought that the recent events signaled a permanent change. That was a very, very, I think, encouraging statement that you made.

I'd be interested to hear your observations as to these recent changes and the Government's resignation.

Professor ONYSZKIEWICZ. Mr. Messner unfortunately is already the fourth Prime Minister who resigned due to pressure from below, due to some unrest, due to the activities of Solidarity. It's a

pity that that's the only way we really can go forward, but that's how it is.

This time something more dramatic has happened, because the whole government resigned.

Optimistically speaking, I think—I hope, rather—that the resignation of this government opens the possibility to change not only the Government but also to change existing policy to a policy marked by considerable opening up, by considerable political initiative. But this is just a hope.

On previous occasions, what really happened was just a re-shuffle of the Government—changing the Government from within the same group of people, without changing the policy.

As I said, this is an opportunity. Let's hope that this opportunity will not be missed. But this is up to the ruling groups in our country to decide. Do they want to go on only under the smokescreen of a new government, but in fact, going on as before; or do they really mean what they declare: changes and reforms.

Chairman HOYER. Professor, in the context of changes in the personnel, as it relates to real reforms, we had the opportunity of meeting with Professor Sadowski when we were in Poland and Professor Sadowski has since then visited the United States at which time we had the opportunity to visit with him again.

How do you perceive his role in the economic reforms?

Professor ONYSZKIEWICZ. Well, we think that Professor Sadowski is a bona fide reformist. He would like to reform our economic system.

We remember him from our talks, even during Solidarity. He was a fairly junior person in the Government then, but made a good impression. Later on we had indirect contacts with him. Well, I don't know what is going to happen to him.

What we are afraid of is that there are two pro-reformist people in the economics sphere, sort of seen at present; Professor Sadowski and Professor Baka. Both of them are seen as bona fide reformists. Unfortunately, they are probably not completely in agreement on how it should be done, which may result in their resignation, probably Professor Sadowski's. But this is speculation, not information. This would be a pity.

But it doesn't mean, having said that there are pro-reformists people in the Government, that all of them are. There are some who are definitely against economic reform. At least they are seen as such. As for the question, Will *these* people again find themselves, again in the new Government or not? Let's hope that they won't.

Chairman HOYER. Thank you.

Now I understand, Professor, you have to leave at 11:30 or maybe just a minute or so before. So let me now yield to Mr. Ritter, the ranking House Minority member of our Commission.

Congressman RITTER. Thank you, Mr. Chairman. There are so many questions and there's so little time. And I think you've covered the ground fairly extensively.

But recently Gorbachev and the Soviets criticized the economic activity going on in Poland. What do you make of that? I mean, how does this square with the supposedly warm friendship between Gorbachev and Jaruzelski?

Professor ONYSZKIEWICZ. Well, I think that the criticism which was seen in the Soviet press, the criticism of the Polish economy and handling of the Polish economy, was not a criticism of General Jaruzelski, it was criticism of Prime Minister Messner. I would separate these two things.

But on the whole, what we can say is this. Soviet leaders are obviously very worried about the situation in Poland, a situation which is unstable, and which may result, if not checked, in time, in a big crisis, in a big explosion in the country, which could destabilize Poland and also can sort of have a overspill effect.

So they would like to see things put more or less right. To achieve that, they would accept considerable change in Poland.

That message was probably passed to the leading circles who move through channels, maybe governmental channels. But it was more than that, because in the Soviet press one could read such statements as, the Soviet Union has nothing against trade union pluralism in Poland.

The Soviet Union sees at least a considerable part of the Polish opposition as not anti-Soviet, as constructive, and so on. I will not go on, but——

Congressman RITTER. Things as to the idea, the so-called constructive opposition the Government has talked about—constructive opposition to——

Professor ONYSZKIEWICZ. Well, constructive opposition means people who are outside the Government, but who are not sort of advancing ideas for the worse, but for the better, people who are really prepared to get involved in the process of reforms—economic reforms and so on, without challenging the basic issues like, for example, the leading role of the party in defense, in foreign policy, and so on.

Congressman RITTER. When you say, institutionalizing pluralism, does constructive opposition jive with institutionalizing pluralism? In other words——

Professor ONYSZKIEWICZ. I think that opposition would like to get institutionalized. Maybe not in the form of political parties——

Congressman RITTER. Does the Government think that institutionalized pluralism is beyond constructive opposition?

Professor ONYSZKIEWICZ. No. I don't think they do. I think they would be prepared to admit that some, even political clubs could be formed, clubs of different orientation.

And what I think——

Congressman RITTER. Political parties?

Professor ONYSZKIEWICZ. No. I don't think that they would accept the creation of political parties now. Because political parties would have to be given the right to participate in free elections. But for that, it is too early.

So I think, and this is something realistic, that we can count on a different kind of institutionalization in the form of political clubs or associations, not in political parties.

Congressman RITTER. Would Solidarity's legalization have a positive forward pressure on the economy? Or is it such a nascent situation, would it be so new and different that it would be years and years before the impact of these freedoms would be felt in the economic sphere?

Professor ONYSZKIEWICZ. Well, as for the legalization of Solidarity and what should follow this legalization—I said what I think should be the followup: institutionalization of other forms of pluralism is prerequisite for the success of economic reform.

First of all, that will create a situation in which economic reform could be discussed by representatives of different important groups, also trade unions.

The program could be somehow endorsed; this program could be worked out. It could be endorsed by all important groups. Then implementation of this program could be based on the principle of trust that something will come out of it; that the period of hardships will not be wasted; that there is a system of checks and balances built into our system; that institutions are looking out for the interests of the working people, institutions independent from the Government.

Only in this atmosphere of hope and trust can economic reform go through. Otherwise we would be heading towards major disaster.

Congressman RITTER. One last question. And I ask this for Mr. Nowak as well; Is this a historic window for opportunity?

That's an abused cliche, but what with the Soviets placing pressure in Azerbajan and the ethnic conflicts there, placing pressures in the Baltic States, placing extreme nationalist pressures elsewhere, and the pressures for political freedom.

Is this a real chance for Poland to define itself individually, and could we lose it in a year from now?

Professor ONYSZKIEWICZ. Well, what is going on in the Soviet Baltic Republics, in Azerbajan, has no direct effect on the situation inside Poland.

After all——

Congressman RITTER. It does take Soviet attention to those arenas of conflict. And in that way, that's so much closer to home than Poland.

Yet, does it give you a chance to achieve something that——

Professor ONYSZKIEWICZ. Well, we quite agree that with the new situation in the Soviet Union, the room for maneuver in Poland is much greater.

And this is not something which we know only in Solidarity or in the opposition, but which is admitted, also, by people from the party, as far as we can find out.

So, there is a feeling that in Poland we can really go forward with reforms, far-reading reforms.

I think that the main obstacle is not in the Soviet Union as it was very often declared in the past—declared by the people from the party. But the main obstacles are very conservative forces inside the power structure, inside the power base, for a very good reason. Namely, economic reform challenges the vested interests of some important power groups, power pressure groups inside the establishment.

I would see the main obstacle for the reforms, as we see it, not in Soviet Union, but internally.

Congressman RITTER. Thank you, Mr. Chairman.

Chairman HOYER. Thank you.

Senator Lautenberg?

Senator LAUTENBERG. Thank you, Mr. Chairman.

I'm sorry. We had a vote after they had a vote. It complicates things.

But, Professor Onyszkiewicz, we will have your testimony in the record, and I'll be able to see what it was that you said. I was very interested in your remarks as we listened to them.

For many years the United States has pressed the Polish Government on the issue of trade union pluralism. And right now things seem to be at kind of critical stage. Do you see any opportunity that the Government will agree to re-legalize the union in the upcoming negotiations?

Professor ONYSZKIEWICZ. Well, I think that re-legalization of Solidarity, which will give us some rights. But it also will put certain constraints on the union, because we will have to operate within the existing law on trade unions.

I think that this re-legalization is almost a necessity, and it must be done. Whether it will happen is another problem, because unfortunately, General Jaruzelski is seen in Poland as man of half measures.

He tried to introduce some changes, but this was something very, very limited, and couldn't catch anybody's imagination. It did not provide the psychological breakthrough which we need.

Let's hope at this critical moment that General Jaruzelski will realize that he cannot sit any longer on the fence. He must jump. Let's hope he will jump on the right side.

So there is a chance that with the prevailing mood for reforms, Solidarity will be legalized. If not, then the deadlock will continue, with all the disastrous consequences.

Senator LAUTENBERG. What is the union—what's Solidarity pressing for in terms of legalization? Is it looking for a national basis, a regional, plant-wide? What are they looking to achieve at this point, in terms of the legalization?

Professor ONYSZKIEWICZ. Obviously we would like to see Solidarity operating on a national scale, on a national level, with regional committees, with plant committees, and so on.

We could talk about phasing this whole process in time, provided the timetable for setting certain structures will be short and fairly well defined.

There is some room for compromise. There are other ways in which we could seek compromise. So I think that with our not very inflexible position, as to how to go about it, the compromise will be found.

But that would require quite a bit of determination, and goodwill from the other side.

Senator LAUTENBERG. How important is the name Solidarity? Would Walesa agree to legalizing another entity as a trade union without the name Solidarity? Is Solidarity meaningful? You mention in your comments——

Professor ONYSZKIEWICZ. I don't think that people would accept a new trade union without Solidarity—without the name Solidarity.

To illustrate this point, I can say that—knowing that there is a ban, so far, on the name of Solidarity—we tried to persuade people in some places where there are no trade unions whatsoever to organize a trade union without the name Solidarity. Nobody wanted it.

Everybody said that if they would try to organize a union, dropping the name of Solidarity, they would be treated as traitors. So even we couldn't, sort of, well, persuade them to do so.

So, I think the trade unions without the name Solidarity would not be accepted.

Senator LAUTENBERG. Solidarity has become more than a name. It's become a symbol. It's become a gathering point for the people in the country. It goes way beyond simply, now, the structure of a trade union.

Professor ONYSZKIEWICZ. Well, yes, it is true. Solidarity is a symbol. Walesa is a symbol. And in difficult times, and we are having a most difficult time, symbols mean a lot. And a name, you know, as Chateaubriand put it some time ago, "A name means more than an army." That's why we must protect the symbols.

Senator LAUTENBERG. How is Mr. Walesa doing in gaining the confidence of the younger, the more radicalized worker? Is he able to get their support?

Professor ONYSZKIEWICZ. I think he's able to get their support. If one analyzes what has happened in recent times in Poland, one sees that this is the case.

First of all, some strikes were started by younger people. But once they started to strike, they called themselves Solidarity and they asked for Walesa's participation, presence and leadership. That's one fact.

The other fact, I think probably more important, is what has happened after the first talks which Walesa had with representatives of the party and the Government.

As the result of these talks, Walesa called to end the strikes. All those who were, say, less militant, less determined—left the plants and factories. The others stayed. Walesa had to confront the firebrands, the most radical, the most determined people. He persuaded them to end the strike and to go back home and back to work the next day. So Walesa proved that he is a true leader. He is not afraid of confronting given people if he thinks it is right. He managed to persuade them. Walesa proved that he can deliver.

Senator LAUTENBERG. A critical issue in the re-legalization will be the demand for higher wages, keep pace with inflation. It seems to be a key issue.

If the Government agrees to legalize Solidarity, do you think that most of the workers would be satisfied with the political concessions, or are they going to continue to press for the economic concessions at the same time? Higher wages, et cetera?

Professor ONYSZKIEWICZ. Let me begin with the remark that the authorities in the Government were quite prepared to grant higher wages right away. The main problem was the legalization of Solidarity.

But from the Government's position, one could see that higher wages was not an issue. But obviously, demands for higher wages in the future can be a problem.

Also, the fight to preserve the standard of living can be a problem. That's why we think that the only way we can really implement economic reform, which would require restraint, and a period of prosperity, that the only way to do it, is in an atmosphere of hope, an atmosphere of breakthrough, when hope is generated,

when there is a feeling that the right institution is safeguarding everything and it is worth it this time, for the first time in our history, to invest in the future. But this must be the result of certain political, quite important changes.

In this atmosphere we feel that a sort of combined action, and appeal by all forces at play, including the church, for restraint, can work. This is the only way it can work.

We have good reason to believe that it will be the case. Because during the period of the legal existence of Solidarity, we had about 600 different agreements signed by the Government, with different groups of factories, professional groups and so on, granting them higher pay, and other privileges. We knew that implementation of these agreements would create complete chaos in the economy.

So we simply asked people to wait. And they did wait, because the atmosphere was different. They were prepared to wait, and even sacrifice their present situation for the future.

This is an example. This is the only way we can see that economic reform can be implemented.

Obviously, it would be of great importance to have an additional cushion for this period of hardships, in the form of some foreign aid, economic aid. But that's another subject, although important.

Chairman HOYER. Professor, we have checked with Senator Kennedy's office and he is running a little late, himself.

So if you can bear with us, perhaps for another 5 or so minutes, I'd like to recognize Congressman Smith.

Congressman SMITH. Thank you, Mr. Chairman.

Professor Onyszkiewicz, I want to commend you for your outstanding answers, and again, the insights you're providing to this Commission.

Victor Hugo has been attributed as saying that there's nothing as powerful as an idea whose time has come. It seems to me that at least five major forces that are winds of change, are upon Poland and, hopefully, they will bring about the desired result.

The first, of course, is the fact that Solidarity itself has been steadfast, has exhibited courage, a great deal of creativity and pragmatism over the years, in trying to push Jaruzelski and the Communist authorities in Poland to make meaningful changes.

The second force would be the church. I would ask you, if you would, to comment on the relationship between the church and Solidarity?

The third force would be the failing economy.

The fourth would be the response of the West, the United States, and in particular, the President of the United States and the policies he has pursued—the imposition of sanctions in response to martial law. And then, the lifting of sanctions as an encouragement for, and an inducement to reform.

Last, and surprisingly, the impact of Gorbachev, himself, and the Soviets?

As a member of the Foreign Affairs Committee, and this Commission, we've had a number of hearings on the impact of *glasnost* and *perestroika*.

It seems that the weight and the fear of the Soviet Union has been lifted, in a very real way, from the East bloc. Now it's almost as if the reform movements in the Soviet Union, in contrast to the

other East bloc countries, are something we hope that they would follow. That the Polish authorities would, indeed, embrace *glasnost* and *perestroika.*

Could you touch on the relationship of the church, day-to-day, the undergirding and the spiritual hope and inner-currents that it provides to the Solidarity movement?

Could you tell us whether or not you feel this President has done a good job over the last 8 years, in what hopefully was, and has been a calibrated and meaningful response to the actions of the Government? Also what has been the impact of Gorbachev?

And finally, what impact do groups like the I.L.O. (International Labor Organizations), and the United Nations have, on a day-to-day basis, on Solidarity?

Professor ONYSZKIEWICZ. Thank you.

As far as the church role is concerned, one must remember the church cannot have open and direct contacts with Solidarity because the church is operating as a completely legal institution while Solidarity is operating, to say the least, in sort of a grey area. So that's one thing.

But we do have indirect contacts with the church and, first of all, we know that we share the same system of basic values.

We do not see the church as sort of a political institution. But obviously the church always played an important role, and will play an important role, as a kind of a go-between, or even a guarantor of some kind of an agreement.

The church must be sort of a midwife helping the delivery, of, let's say, a healthy baby. So, obviously the church will have to take an important part in this kind of appeal for restraint, if we are to work out some reasonable compromise.

As far as the American policy of the last 8 years is concerned, I want to say that this is a policy of success.

I think that this policy contributed to a great degree, to the facts which we see now—well, to the ending of martial law, and to the fact that there are very few political prisoners now.

I must say that I am personally a beneficiary of this policy, because I was in prison, as Mr. Nowak said, after this speech at the Ghetto Memorial and I was liberated because of the amnesty.

This amnesty was undoubtedly, to a great degree, a fact of the American pressure. So I think it was a policy of success.

As far as Gorbachev is concerned, as I said, we know that there is a great deal of room for maneuver now. It doesn't mean that everything is possible. We know that there is a line drawn on the sand, and if we cross it, then there will be, say, heavy involvement of Soviets in Polish affairs, even intervention. It is not so that everything is possible now.

Let's hope that the situation in Poland can be diffused without a major explosion, which would result, for example, in another intervention. This is not in Poland's national interest. This is not in anybody's interest.

But certain social processes can go on and result in such a disaster, regardless what we in Solidarity can do. It could be forced by a complete stalemate in Poland. Let's hope that the stalemate can be broken.

The role of the I.L.O. and labor organizations in Polish affairs is great. Obviously we can still fight and build our case on the fact that the conventions of the I.L.O. granting international rights, trade union rights, are legally binding.

We can still see that the Polish Government cannot be completely immune to pressures coming from the I.L.O., forcing them to observe trade unions rights.

We are quite grateful to the efforts of the I.L.O. in that respect, and we hope that this pressure will be kept on.

Congressman SMITH. I have additional questions, but deference to Mr. Feighan, I will hold off on this point.

Chairman HOYER. Thank you.

I apologize to Mr. Feighan. His time has been cut short because of the Professor's other appointment.

Congressman Feighan?

Congressman FEIGHAN. Thank you very much, Mr. Chairman.

Let me be relatively brief, then, and begin by thanking Professor Onyszkiewicz for being here, and particularly for all of the work that he's done in this country in the past several months.

He has contributed enormously to American understanding of what's taking place in Poland and the impact that Solidarity is having.

In response to a question by Representative Ritter, I understood you to say that you did not see the creation of alternative political parties in the foreseeable future. You thought that the creation of political organizations with clubs was a possibility, but they would not take on the characteristics of distinct parties.

Let me ask you, Professor, to respond to some proposals that I understand Solidarity has been making.

Can you tell us whether you think that Solidarity will be successful in achieving the specific proposals that it has made to the Government, particularly with respect to the creation of a second chamber in the Parliament, and the possibility of opposition candidates being elected to serve in that body?

Professor ONYSZKIEWICZ. Well, we think that this is not the time for political parties yet. It doesn't mean that we wouldn't like to have them. Obviously we are very much in favor of having real political pluralism in the country. But because of the geopolitical restraints, we're simply saying that that's something for the future.

As far as the present day situation is concerned, we think that fighting for pluralism, in the form of different kinds of associations, clubs, groups, and so on, and also, not Solidarity as an independent trade union, we see the future development in the form of, as we put it during our National Congress, in the form of another chamber which would be freely elected but with some limits to what this chamber would be allowed to discuss and decide on.

We think that this chamber would not be a senate, but would be a chamber of labor. This chamber could discuss and decide legislation on social matters, on internal matters, on matters concerning local councils and so on—maybe some legislation concerning the economy, leaving strategic economic decisions, foreign and defense policies, in the chamber which exists now.

We do not think that it is realistic to expect completely free elections to this, say, political chamber. But we do think it would be

completely realistic to demand and even get free elections to this chamber of labor.

But that would require some time, some discussions. I haven't got a blueprint. We haven't got the blueprint. That must result from debates and compromise.

Congressman FEIGHAN. Professor, I know that you have another appointment scheduled. By way of conclusion, let me ask you to comment for us on the status of prisons in Poland?

We've heard a number of reports over a long period of time about the intolerable conditions in Polish prisons. The physical abuse to which prisoners are subjected, the overcrowding and other general intolerable conditions.

We're all aware that you had served some time in Polish prisons for your political activity.

Can you comment as to whether there's been improvement in the general attitude of the Government towards prison reform?

Professor ONYSZKIEWICZ. I should say that there was an improvement in comparison with what was before Solidarity. That, among other things, makes Solidarity prisoners rather popular among the inmates, because it is known.

I really am not the best person to say, although I've been in prison many times, because I think I was treated with a certain degree of respect. I am somehow protected by the fact that I have contacts abroad, with the Western press, with politicians, and I could feel that during my stay in prison.

Prisons in Poland are very overcrowded, and even despite amnesties, you can have terrific crowds in prison. But I think that the main problem is not living conditions, is not overcrowding. It is the fact that while you are in prison you have really absolutely no rights, because, again, everything is in small print.

Obviously you have some rights guaranteed by regulations, but there is a clause saying that you must completely obey the instructions of the prison wardens, especially if it is somehow connected with security. And by the term "security" you can justify everything. Absolutely everything.

As I said, I was personally treated reasonably well, but I shared the cell with people who were beaten. This is not a very new thing, this happens all the time. This is not just the treatment which only political prisoners receive. It is rather, I regret to say, general practice.

This must be put right. That's why I think that to establish a kind of an association which would be allowed to take care of prisoners in general, and also which would sort of monitor the situation in the Polish prison system, would be of great importance.

In that connection, I want to mention one fact. We had formed such an association during Solidarity. This association was called *Patronot.*

This association was nothing else but sort of a rebirth of an association which operated in Poland during the period of our independence, and during the German occupation.

This association was dissolved in 1946 or 1947, I don't remember exactly. We reestablished this association during the period of the legal existence of Solidarity and then this association was banned in 1982 and has not been allowed to function since.

So, ironically, this association could function even under German occupation, and can be accepted now in Poland. That is something which also must be put right.

Congressman FEIGHAN. Thank you.

Chairman HOYER. Thank you, Professor. I think we agree with Mr. Smith's comments that your comments have been pointed, illuminating and very useful for the Commission.

Mr. Nowak, are you going to be able to stay, or are you going to leave with the Professor?

Mr. NOWAK. No. I will leave with him. I will be at the——

Chairman HOYER. Can we take 1 minute? I think Congressman Smith wanted to ask you a question, if he might.

Mr. NOWAK. Yes, sir.

Congressman SMITH. Thank you, Mr. Chairman.

As you know, Mr. Nowak, the President, by the Constitution, is entrusted as the chief formulator of U.S. foreign policy. While Congress can make its contributions, we certainly control the purse strings, the day-to-day operation of the State Department and the general flavor of the kind of policies coming from this Government are really dictated by the President.

The baton of power certainly is going to be passed on November 8, and we will have a new President sworn in in January. I was wondering what advice the Polish American Congress would give to the two candidates who are vying for the Presidency, regarding U.S. policy toward Poland.

Can you offer some insites as to how U.S. policy can effectively impact the Polish situation?

Mr. NOWAK. We consider the policy of the present administration towards Poland, a story of success. There is no question about it. And we hope it will be a bipartisan policy.

After all, this was the policy which had support on both sides of the Congress. And we sincerely hope it will remain a bipartisan policy.

We are particularly interested in conditional economic assistance from international financial institutions. Maintaining such instruments as Radio Free Europe, Voice of America, and National Endowment For Democracy are of great importance to us.

This is a bipartisan policy. Reaction of the Carter administration and later of the Reagan administration, to the threat of the Soviet invasion was entirely different from the total indifference displayed by the Eisenhower administration at the time of the invasion of Hungary, and of the Johnson administration at the time of the invasion of Czechoslovakia.

This time it was discovered that between military involvement of the United States and passivity, there is room for some measures which would make Soviet intervention more expensive in both political and economic terms.

We sincerely hope that it will remain a bipartisan policy, and whoever will be the next President of the United States will continue the present policy.

Congressman SMITH. Thank you, Mr. Nowak.

Chairman HOYER. Well, I'm sure that there are some members of the Commission who will assure you that Mr. Bush would do that,

and there are other members of the Commission who will assure you that Mr. Dukakis will do that.

Thank you very much, Mr. Nowak.

Mr. NOWAK. Thank you.

Chairman HOYER. And Professor, we again want to reiterate how much respect we have for you, for your leadership, obviously for Solidarity with which you are associated and are such a vitally important part.

We will continue to do what we can to further your agenda, which we consider a joint agenda.

Thank you very much, Professor.

Professor ONYSZKIEWICZ. Mr. Chairman, members of the Commission, thank you very much.

Chairman HOYER. Thank you. Thank you, Mr. Nowak.

Now, I'd like to introduce Father Koch, who is joining us and as I said previously, is head of the campus ministry at Seton Hall University, and very much involved in Polish affairs. He has, himself, been an American observer in Poland on numerous occasions.

[Pause.]

I'd like to have Senator Lautenberg introduce Father Koch.

Senator LAUTENBERG. I'm pleased to welcome our next witness, to introduce to the Helsinki Commission, Father Eugene Koch of New Jersey. He's going to be talking about the issue of the church—government relations in Poland.

Father Koch, as the Chairman noted, is head of the campus ministry at Seton Hall University in South Orange. A place that I spent a couple of terms at after I got out of the service.

Father Koch is of Polish origin. So am I. My father was born in Lodz, Poland. And apparently has visited Poland many times, including the trip you just took.

In addition to studying at Catholic University in Lublin, Poland, Father Koch studied at the University of St. Thomas in Rome, where he lived with Polish priests, and received a master's degree in theology.

He's recently returned from Poland in August. Father Koch is in a particularly good position to share with us his views on the current situation in Poland, and the church's relationship with Solidarity, which was discussed a bit here. And it's relationship with the Polish Government.

I welcome him to the Helsinki Commission. As I think you know, Father Koch, that Archbishop McCarrick and I traveled to Poland and the Soviet Union last year.

We developed quite an understanding of where things stood, but I'm very interested in your points of view, and I welcome you here today.

Chairman HOYER. Thank you, Senator.

Father Koch, we're glad to have you with us.

STATEMENT OF FR. EUGENE KOCH, HEAD OF THE CAMPUS MINISTRY AT SETON HALL UNIVERSITY IN SOUTH ORANGE, NJ

Father KOCH. Thank you very much. It's a pleasure to be here.

I'd like to just begin by thanking you for this opportunity. And I speak to you as an American of Polish decent. My grandparents were born in Poland.

I was raised in Jersey City and attended Polish schools up until the 12th grade. I've visited Poland 6 times, and 3 times since the time of study, twice at the Catholic University in Lublin.

While living at the Collegio Polacco in Rome, I was able to spend an entire year living with priests from Poland which gave me an unique opportunity to spend time with them, sharing with them, and learning from them.

I spent most of my 19 years as a priest working in Polish American parishes. And so I speak to you, basically as a American who has had emotional, spiritual, and historic connections with Poland.

This summer I was again in Poland. I had the opportunity to visit Cardinal Glemp in Warsaw, Cardinal Macharski in Krakow, and Archbishop Gulbinowicz in Tarnow. I lived in a parish in Lublin, as well in Jastrzembie, in Salesia, a coal mining town where the recent strike took place.

I returned from Poland this time with a different emotion, an emotion that I shared with other priests who were with me, as well as other people who traveled with me.

I guess, perhaps, the emotion was somewhat close to being heartbroken. Because although Poland was never an easy country to live in, this time I found that rather than meeting a people filled with hope, often valiant hope, and perhaps even an amazing sense of humor, this year was very different.

The humor was often angry and bitter, and the hope, at times, was touched perhaps by a sense of cynicism, if not despair.

The Polish people I spoke to felt as if their destiny was totally out of their hands. They felt betrayed and lied to by the Government just too many times. Therefore, this moment is critical. Extremely critical. The people, I fear, will not tolerate betrayal again.

Although Poland is 1,000 years old, it is a young country with many young people. It is the young that are most effected. They have little reason to hope. Young families fear for their children. The Communist government has exploited the land, and ecologically, the implications are frightening.

I spoke to a man I've know for over 10 years. He once told me that he would never leave Poland in spite of the situation. Now he looks at his children, who face a very difficult, if not dismal future, and wonder if it's not time to find a way to leave.

I visited a critically ill uncle who was unable to attain necessary medicine. I spoke to young couples who are waiting over 20 years for their own small apartments. Food rationing, arbitrary inflation have created a feeling of despair.

The Polish Government must make radical changes this time in the system and allow the entire Polish society to creatively work towards overcoming Poland's numerous problems, and the multibillion dollar debt that drains the people and drains the nation. The changes must be this time, drastic. And not only on the surface.

Granted, there are greater opportunities of freedom. For instance, the possibilities of publishing articles which at one time would have been forbidden—would have been impossible. But now,

what is frightening is that the articles are published, but very few people care, certainly not the Government.

The church's role, therefore, is more critical than ever. The church offers what is left of any chance for mediation and negotiation.

It supports the right of Solidarity to exist and to become a legal reality in Poland. The danger, as I see it, is that the young might not be as patient as their confreres who are older.

It is my concern and my plea to the American Government that in witnessing the possible collapse, the eventual collapse of the Communist's system, that the Polish people not be sacrificed. That our policies towards Poland have in mind what is best for the Polish people.

That our immigration policies be open to welcome and assist the numerous Poles who have left Poland are found, now, waiting throughout numerous countries throughout the world. And it should be kept in mind, unfortunately, that it was American policy at Yalta that allowed Poland to be controlled by the Soviet Union. As a nation, we bear some responsibility for the painful realities of today's Poland.

The Polish people have not changed in this however. Their love for America remains constant. The Polish people remain among our strongest allies, and our closest friends.

Chairman HOYER. Thank you very much, Father.

Senator Lautenberg?

Senator LAUTENBERG. Yes, Thank you for that statement.

It's discouraging to hear your recount what you saw. The disappearance of hope, but we hope not spirit. And frankly, those of us who have visited Poland know something about what's taking place there.

We look to the church to continue setting the example for courage and inspiration as we've seen with the church of Gdansk and we've seen with others.

I just wondered whether you thought that the church representation was going to be there in the upcoming October negotiations?

Father KOCH. As I mentioned, Senator, I feel it's essential. And perhaps more than ever before the church plays a very sensitive role. If nothing else, to offer the people, encourage the people to keep on trying.

I feel the church is specific in not wanting to see itself as a political party. But of aiding the people, especially through, certainly through Solidarity, but through also other areas of reaching out for greater freedom.

I think the church's role is crucial and offers moral and emotional support to the people.

Senator LAUTENBERG. What are the issues, beside trade unionism, that the church might raise during these negotiations?

Father KOCH. Well, there are many questions that the church is facing, certainly among them the possibilities of legalization of the church.

Certainly the church is in a unique position in Poland and is obviously very strong, alive and vibrant. But technically speaking, is not a recognized institution in that there is not a concordat.

Now, historically there has been some concern of whether Poland should have a concordat with the Vatican. And the concern was whether the Vatican, from the Polish point of view, whether the Vatican would, perhaps, understand the nuances of Polish—the Polish Church in relationship with communism.

However, I think the atmosphere has changed and there is a striving towards a legal agreement. Perhaps not a concordat. Perhaps that word is too strong. But a legal contractual agreement between the Polish Church and the Government in Poland and a relationship with the Vatican, an official relationship with the Vatican.

Senator LAUTENBERG. Do you see that as a major part of the agenda in the near future? That this—the legalization, the pure legalization of the church? It has a unique position, despite the fact that it's not formally legalized, it enjoys relative freedom in the country.

Does the—would the church gain substantially from having, "legal status?"

Father KOCH. Prior to martial law, there was activity in that direction. With the coming of martial law and the ensuing months of confusion, that has stopped.

But again the discussion is continuing and there is, I think, even encouragement from the side of the Polish bishops, as well as from the Vatican to pursue this.

However, they're very cautious steps, and I think the steps are concurrent with the situation in Poland. Rather than have an artificial document which would in some ways legalize Poland, I think the Vatican and the Polish bishops are concerned that the situation in Poland, realistically be good for the Polish people.

Therefore, the steps would be slow and perhaps not coming for quite a long time.

Senator LAUTENBERG. Recently Cardinal Glemp met with Jaruzelski and it was reported that one of the issues that was discussed was the possible formation of a Christian Democratic Party. Are you aware of any progress in this direction?

Father KOCH. I've heard of that. But I haven't heard of any progress.

Senator LAUTENBERG. Well, we thank you very much, Father Koch, for being with us, and the courage that you and the Catholic Church in Poland continue to pursue its ideals and its objectives to hold out the kind of hope the church does, for the Polish people.

Father KOCH. Thank you.

Chairman HOYER. Thank you, Senator.

Congressman Smith?

Congressman SMITH. Thank you.

Father Koch, welcome to the Commission. Just a couple of questions.

I was struck by your comment that the people will not tolerate betrayal again. Was your visit before the second round of strikes, or during?

Father KOCH. I was in Poland actually, you know, numerous times I've been in Poland, but this time I was in Poland right before the strike.

Congressman SMITH. Perhaps its entirely possible that the Jaruzelski regime has increasingly been sensing that frustration. Perhaps that's why we're seeing some——

Father KOCH. I think so.

Congressman SMITH [continuing]. hope, at least from what we're reading, that changes may be in the offing.

Father KOCH. Yes.

Congressman SMITH. I was also struck by your comment that the young may not be as patient. Perhaps that's because they are beginning to get at least a foretaste of freedom.

In terms of the spiritual character of the young people, the next generation, are they as equally fervent in their beliefs as their parents and grandparents?

Father KOCH. I was personally, very impressed with the young people that I met.

While I was in Poland, there were pilgrimages going on in Poland. Basically, they're moving retreats. They go on sometimes for 1, 2, or even 3 weeks, of people processing, moving to—and during that time the majority of the people on the retreat were young people. Literally, hundreds of thousands of young people.

So the church in Poland is the church tried by difficulty. And I think because of that, the fervor of the young people is especially strong.

Seminaries are filled, the churches are filled with young people, enthusiastic young people. So as far as the life of faith, I think perhaps, in spite of difficulties, maybe even because of it, people have—the young people are extremely strong in their faith.

Congressman SMITH. Do the Polish authorities try in any way to limit the number of applicants to the seminary?

Father KOCH. Up until recently, yes. But I think in recent years that has, especially since Solidarity, that's not true.

Congressman SMITH. I too, thank you for your testimony and appreciate your being here.

Father KOCH. Thank you.

Chairman HOYER. Father, how would you characterize the major problem confronting the church at this time in Poland?

Father KOCH. As I mentioned, my concern is that the people are at a very crucial point in their ability to continue hoping. I think the church is in a very difficult position to encourage the people to keep trying.

My fear, and I guess the fear of people that I spoke to is that, that out of desperation something might be done that would be detrimental to the Polish people.

So I think the church's role is extremely important in encouraging the people in their convictions, and enabling them to continue having hope.

Chairman HOYER. When we were in Poland we met with Bishop Dombrowski. He indicated that the church itself, was essentially, from his standpoint, almost 100 percent free, although there was no doubt that there were also accommodations that were necessary in dealing with a Communist state.

We talked about other religious associations, either related to the Catholic Church or to other denominations.

What were your discussions with people when you were most recently in Poland with respect to the ability of individuals outside of the formal organizational structure of the Catholic Church to form religious associations?

Has there been any change in that from your perception?

Father KOCH. From what I gather this is one of the issues that must be discussed with the Government and with eventually, legalizing the— officially legalizing the position in the church.

Among them, the position of the Eastern Rite, Catholic Church in Poland which at one time, as you know, in Russia, the Eastern Rite Churches were totally annihilated, at least officially.

The situation in Poland was rather nebulous for many years. Now there is an effort by the Polish hierarchy to help the Eastern Rite Churches in Poland and perhaps to work towards establishing a bishop for them in Poland as well.

Also I understand that among the issues that must be discussed, obviously there are issues dealing with seminary life, with conscription into the armed services, but one of the—the most important issues I gather, are not so much those types of issues, but philosophical issues on the basic philosophy, the role of the church in Poland, which has more implications in the long run than the specific issues.

Chairman HOYER. Thank you very much, Father Koch. We appreciate very much your patience in waiting for our previous witnesses to finish, and for your testimony today.

Father KOCH. Thank you.

Chairman HOYER. Thank you very much. The hearing is adjourned.

[Whereupon, the hearing was adjourned at 12:10 p.m.]

23 SEP 88

APPENDIX

SENATOR ALFONSE D'AMATO

OPENING STATEMENT

CSCE HEARING ON

SOLIDARITY IN POLAND

MR. CHAIRMAN:

I WANT TO COMMEND YOU AND OUR DISTINGUISHED CO-CHAIRMAN FOR CALLING THIS HEARING TO EXAMINE RECENT EVENTS IN POLAND. I LOOK FORWARD IN PARTICULAR TO LEARNING THE VIEWS OF MR. JANUSZ ONYSZKIEWICZ, THE OFFICIAL SPOKESPERSON FOR SOLIDARITY.

THIS WEEK, SOMETHING VERY UNUSUAL HAPPENED IN POLAND. THE PRIME MINISTER AND 19 CABINET MEMBERS RESIGNED AFTER A NO-CONFIDENCE VOTE IN PARLIAMENT. IN THE WAKE OF THE AUGUST STRIKES AND THE COMMUNIST GOVERNMENT'S AGREEMENT TO RE-OPEN PREVIOUSLY CLOSED ISSUES TO NEGOTIATION (INCLUDING SOLIDARITY'S STATUS) IN ORDER TO BRING THE STRIKES TO AN END, WE MAY BE AT A TURNING POINT IN POLAND'S DEVELOPMENT.

OPTIMISTS VIEW THE SITUATION AS ONE IN WHICH A COMMUNIST GOVERNMENT WILL BE FORCED TO GRANT LEGAL RECOGNITION TO A DOMESTIC INSTITUTION NOT UNDER COMMUNIST CONTROL -- SOLIDARITY. THIS WOULD GRANT AN INDEPENDENT ORGANIZATION REAL POWER WITHIN A COMMUNIST SYSTEM.

PESSIMISTS SEE THE NO-CONFIDENCE VOTE AS A POSSIBLE STEP TOWARD A HARDER LINE AGAINST SOLIDARITY. SPLITS IN THE WORKERS' MOVEMENT BETWEEN OLDER MORE EXPERIENCED LEADERS AND YOUNG RADICALS MAY HAVE CREATED OPENINGS THE COMMUNIST AUTHORITIES CAN EXPLOIT.

I WILL BE INTERESTED TO HEAR THE VIEWS OF OUR DISTINGUISHED WITNESS, WHO WILL BE ABLE TO SPEAK TO US AS SOLIDARITY'S OFFICIAL REPRESENATIVE. CLEARLY, POLAND'S FATE WILL HAVE AN ENORMOUS IMPACT ON ALL OF EUROPE, NATO, WARSAW PACT, NEUTRAL AND NON-ALIGNED STATES ALIKE.

THANK YOU.